

THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CRIMINAL CASE NO. 3:07-cr-00236-MR

UNITED STATES OF AMERICA,

Plaintiff,

vs.

SIR MARQUISE BATTLE,

Defendant.

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ORDER

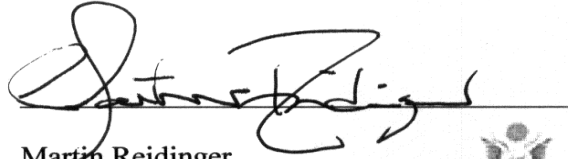
THIS MATTER is before the Court on the Defendant's Motion for Writ of *Audita Querela* [Doc. 31], as amended [Doc. 32].

The Defendant moves for a writ of *audita querela*. [Docs. 31, 32]. Subsequent to the filing of these motions, the Federal Defenders of Western North Carolina filed a motion to vacate pursuant to 28 U.S.C. § 2255 on the Defendant's behalf. In the motion to vacate, counsel alternatively sought relief in the form of, *inter alia*, a writ of *audita querela*. [See Doc. 36]. The Court has now dismissed the Defendant's motion to vacate and denied his requests for alternative relief. [Doc. 40]. For the reasons stated in that Order, the Defendant's request for a writ of *audita querela* is denied.

IT IS, THEREFORE, ORDERED that the Defendant's Motion for Writ of *Audita Querela* [Doc. 31], as amended [Doc. 32], is **DENIED**.

IT IS SO ORDERED.

Signed: May 18, 2015


Martin Reidinger
United States District Judge

